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EXAMINER

VU, THONG H

ART UNIT

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Please find below and/or attached an Office communication concerning this application or proceeding.



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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/605,127

Filing Date: June 28, 2000

Appellant(s): LESSER, JOEL

Stephen J. Stark
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 6/28/04.

(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendments After Final*

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) *Summary of Invention*

The summary of invention contained in the brief is correct.

(6) *Issues*

The appellant's statement of the issues in the brief is correct.

(7) Grouping of Claims

Appellant's brief includes a statement that claims of the following groups of claims do not stand or fall together and provides reasons as set forth in 37 CFR 1.192(c)(7) and (c)(8).

Group I: Claims 1-4.

Group II: Claims 5-10.

Group III: Claims 11-15

(8) Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

5,995,099

Horstmann

11-1999

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipation by Horstmann reference. This rejection is set forth in a prior Office Action, mailed on 2/29/04.

(11) Response to Argument

(1) As per claims 1-4:

(A) Applicant argued the prior art does not teach (a) retrieving first link information from the database web site;

Examiner points out the prior art discloses the server received the first link and updating database [Horstmann, the first link received by the server, col 10 lines 60-64; update database, step34, Fig 3];

(B) Applicant argued the prior art does not teach (b) determining whether the first link information corresponds to an existing resource at the second site by accessing the second site using the first link information retrieved from the database;

Examiner points out the prior art discloses (b) determining whether the first link information corresponds to an existing resource at the second site by accessing the second site using the first link information retrieved from the database [Horstmann, determine whether they correspond with valid page addresses, col 5 lines 5-24];

(C) Applicant argued the prior art does not teach (c) spidering through the second site beginning at the link address;

Examiner points out the prior art discloses (c) spidering (i.e.: an automated program that searches the Internet for new documents and places their addresses and content-related information in a database, Microsoft Press Computer Dictionary, 3rd

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Edition) through the second site beginning at the link address [Horstmann, the verification software searches page B for link back, col 3 lines 27-42];

(D) Applicant argued the prior art does not teach (d) verifying through the spidering step that second link information is present at the Webmaster's site with second link information corresponding to the second link from the second site to the first site.

Examiner points out the prior art discloses (d) verifying through the spidering step that second link information is present at the Webmaster's site with second link information corresponding to the second link from the second site to the first site [Horstmann, the verification software searches page B for link back, col 3 lines 27-42; col 4 lines 1-25; col 6 lines 23-34; 58-67; a first site and second site, col 10 lines 35-60].

(2) As per claims 5-10:

(A) Applicant argued the prior art does not teach (a) soliciting first link information by said administrator from said Webmaster, said first link information comprising at least an address for a URL address (i.e.: a link) at the Webmaster's site;

Examiner points out the prior art discloses the Internet user (i.e.: the bike shop owner) solicits information specifying the second link or URL address [Horstmann, solicit, col 3 lines 43-50, col 5 lines 5-24, col 10 lines 35-67; URL, col 7 lines 42-49]

(B) Applicant argued the prior art does not teach (b) formulating a queue (or Form) by said administrator containing at least some of said first link information;

Examiner points out the prior art discloses creating a link page for bike-shop site [Horstmann, creation or editing of links page wherein the non-edit page as first order and edited page as second order, col 2 line 63-col 3 line 13, 59-col 4 line 6, 43-67, Fig 5; col 5 lines 5-24, 35-53]

(C) Applicant argued the prior art does not teach (c) presenting said queue to the account Owner for approval;

Examiner points out the prior art discloses the bike-shop owner can then approve the page [Horstmann, present a link page to owner for approval, col 5 lines 5-24; col 9 lines 1-67];

(D) Applicant argued the prior art does not teach (d) creating a first link by said administrator on said account Owner's link page to provide access to said Webmaster's site upon approval of a said first link in said queue.

Examiner points out the prior art discloses creating a link page [Horstmann, creation or editing of links page wherein the non-edit page as first order and edited page as second order, col 2 line 63-col 3 line 13, 59-col 4 line 6, 43-67, Fig 5; col 5 lines 5-24, 35-53] and approve the page [Horstmann, the bookstore owner adds a link to bike shop site upon the bike shop owner approved, step 56, Fig 5; col 1 line 60-col 2 line 4, 28-54, col 2 line 63-col 3 line 42].

(3) As per claims 11-15:

(A) Applicant argued the prior art does not (a) displaying a plurality of links in a first order;

Examiner points out the prior art discloses displaying links pages [Horstmann Fig 4, HTML file layout the links page, col 4 line 43-col 5 line 4; display links pages, col 8 lines 19-30];

(B) Applicant argued the prior art does not teach (b) utilizing a formula (or links page), creating a second order for said links, said second order being different than said first order in a non-editable view;

Examiner points out the prior art discloses creating the links including a non-editable view or read only [Horstmann creation or editing of links page wherein the non-edit page as first order and edited page as second order, col 5 lines 35-53; the read-only mode or non-editable/ view only, col 5 lines 35-53];

(C) Applicant argued the prior art does not teach (c) displaying the plurality of said links in the second order independent of changes made by a human operator with any of the plurality of links associated subsequent to the display of the plurality of links in the first order.

Examiner points out the prior art discloses the link can be reformatted or redisplayed [Horstmann, reformat or redisplay a link page and dividing various links

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under appropriate heading, col 3 lines 14-26, col 6 lines 4-21]. It was clearly that the user/owner/administrator could create their own dedicated links page similar to the first links page as independently and different sequent order [Horstmann, col 4 lines 33-46].


For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,



OCTOBER 07, 2004

Conferees


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